



**DEFENSE FINANCE AND ACCOUNTING SERVICE
ARLINGTON
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SEP 14 2004

DFAS-DFC

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Change to Military Leave for Mobilized Federal Civilians Guidance

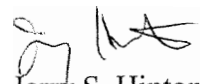
This is a change to the guidance issued April 9, 2004, memorandum subject: "Military Leave for Mobilized Federal Civilians," and in particular the attachment titled "Guidelines For Military Contingency/Law Enforcement Military Leave."

When the guidelines were being developed, a memorandum dated April 2, 1996, issued by the Department of Defense Civilian Personnel Management Service (CPMS) subject 'Military Leave' was overlooked in the preparation and coordination of these guidelines. The CPMS memorandum advised of changes in the area of military leave authorized by Section 516 of the National Defense Authorization Act for Fiscal Year 1996, approved February 10, 1996. The changes made by this Section applies to all employees who meet the eligibility requirements for use of the 22 workdays of military leave. This change now makes permanent the right to use accrued annual leave or available compensatory time earned prior to using the 22 workdays of military contingency/law enforcement military leave. Please note that the period of absence may not be charged to sick leave.

The actual wording in the CPMS memorandum as follows, "The Comptroller General has long held that an employee performing the type of duty contemplated by 5 USC 6323(b) may not elect to use any other type of leave for such absence if leave under subsection 6323(b) is available. This meant that an employee had to first exhaust the 22 workdays of military leave before he or she could use annual leave or compensatory time to cover the period of absence. Over the past several years, Congress included language in each of the Defense appropriation acts that gave an employee the option to use annual or compensatory time even if they had not exhausted the 22 workdays. By amending 5 USC 6323(b). Section 516 made that option permanent."

Based on this information, the Guidelines For Military Contingency/Law Enforcement Military Leave, page number 2, bullet number 3, last sentence (see attachment) will be deleted and replaced with the following information. Employees can elect to use accrued annual leave or

compensatory time without first exhausting the 22-days of contingency/law enforcement military leave.



Jerry S. Hinton
Director for Finance

Attachment:
As stated

cc: Director, Military and Civilian Pay Services
Director, Civilian Pay Services
Department of Energy
National Security Agency

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